



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,666	02/27/2004	Walton Fong	HSJ9-2003-0210US1	7551
74216	7590	04/10/2008		
The Patent Law Office of Larry Guernsey P.O. Box 720247 San Jose, CA 95172				
EXAMINER				
WEISKOPF, MARIE				
ART UNIT		PAPER NUMBER		
3664				
MAIL DATE		DELIVERY MODE		
04/10/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/789,666

Applicant(s)

FONG ET AL.

Examiner

MARIE A. WEISKOPF

Art Unit

3664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 9, 10, 12-27 and 31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 9, 10, 12-27 and 31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4-5, 10, 12, 14-15, 17, 19-23, 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Teicher (US 2001/0032070) in view of Waibel (US 2003/0164819).

- In regard to claims 1, 14, 15, 18, 21-23, 26, and 27 Teicher discloses:
 - A hard disk drive including at least one database (paragraph 19)
 - A digital camera (paragraph 19)
 - A display screen (paragraph 19)
 - Database software by which images and sound input from the digital camera and are stored in the hard disk drive as a personal log database, which can be displayed on the screen, where the personal log database may be updated by additional images (paragraph 19)
 - A portable translation device which includes an Optical Character Recognition engine, which takes input of graphic images of words from the digital camera in a language unfamiliar to the user and converts them to characters in the unfamiliar language and a dictionary module which takes the characters generated by the OCR engine and produces translated files

in a language familiar to the user, and outputs the translated files to the view screen. (paragraph 19)

Teicher fails to disclose a microphone and at least one speaker, a database storing sound and further outputting translated files to at least one speaker and able to download database information which includes images, sound file and text which act as a travel instructor. Teicher also fails to disclose a GPS module. Waibel, however, discloses a microphone and speaker, and outputting translated files to at least one speaker. (Paragraphs 25 and 28) Waibel also discloses being able to download database information which includes images, sound file and text and also a GPS module. (Paragraphs 27, 60, 68 and 73) It would have been obvious to one having ordinary skill in the art at the time of the invention to include the features of Waibel with the invention of Teicher in order to give a full service assistant device that is able to store pictures but further is able to track the user and provide relevant information and translate when the user needs this to be done.

- In regard to claims 4, 10, 17 and 25, Teicher discloses displaying movies. (paragraph 19)
- In regard to claims 5 and 19, Waibel discloses the at least one speaker plays sound files (Paragraph 25)
- In regard to claims 12 and 20, Waibel disclose a text-to-speech engine (Paragraph 28)

3. Claims 2-3, 13, 16 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waibel as applied to claims 1 and 14 above, and further in view of Kennewick et al (2004/0193420).

Teicher and Waibel fail to specifically disclose a touch-screen display, the display screen displaying slides and an MP3 player.

Kennewick discloses a touch-screen display (paragraph 97, line 2). Kennewick further discloses a display screen that displays graphics and video, which can include slides and Moving Pictures Expert Group (MPEG) movies, a file format for compression of digital video and audio data (paragraph 97, line 2). Kennewick further discloses at least one speaker plays sound files (paragraph 18, lines 15-17).

As per claims 13 and 31, Kennewick discloses a device that can locate a music file and play it, the files could include MP3 files.

It would have been obvious to one having ordinary skill in the art at the time of the invention to include the aspects taught by Kennewick because they are well known in portable devices and would have been obvious to include.

4. Claims 9 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waibel as applied to claims 1 and 14 above, and further in view of Harrington (US 2003/0145338 A1).

Although Teicher and Waibel disclose all the claimed elements as mentioned in claim 1, Teicher and Waibel fail to specifically disclose a producing HTML files and MPEG movies.

Harrington in the same field of invention discloses producing HTML files and MPEG movies, a file format for compression of digital video and audio data (paragraph 12, line 1).

From this teaching of Harrington, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the travel assistant of Teicher and Myers et al to include producing HTML files and MPEG movies of Harrington, in order to update a personal website designed to share experiences.

Response to Arguments

5. Applicant's arguments with respect to claims 1 and 14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARIE A. WEISKOPF whose telephone number is (571)272-6288. The examiner can normally be reached on Monday-Thursday between 7:00 AM and 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoi Tran can be reached on (571) 272-6919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3664

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MW
/Khoi H Tran/
Supervisory Patent Examiner, Art Unit 3664